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C O N F I D E N T I A L SECTION 01 OF 02 KINSHASA 001807

SIPDIS

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TAGS: [PGOV](#) [PHUM](#) [PREF](#) [PREL](#) [CG](#) [MONUC](#)

SUBJECT: A HOT, BUT NOT WARM, WELCOME TO RETURNING
BANYAMULENGE REFUGEES

Classified By: PolCouns MSanderson, reasons 1.5 (b) and (d).

¶1. (C) Summary: There were some tense moments over the weekend in Uvira, located in southern South Kivu, when 350 Banyamulenge refugees insisted on returning to the DRC from Burundi sooner than planned. Their arrival at the Congo-Burundi border provoked riots by Congolese citizens in Uvira, during which the sites prepared for the eventual return of the refugees were burned, Monuc vehicles were stoned and Monuc personnel threatened. Although UNHCR initially wanted to force the refugees to return to Burundi (where, UNHCR believed, they would be safer), reason eventually prevailed. The refugees are now in a two secure sites in Uvira, protected both by Congolese military and Monuc. Although it seems clear that the refugees, and their cause, are being manipulated by various political elements, it is important that the international community be seen to uphold the right of Congolese citizens to return to their own country. End Summary.

A Series of Bad Decisions

¶2. (C) Particularly in the wake of the Gatumba massacre, many actors -- including UNHCR, Monuc and the Congolese government -- had been discussing the future of the Banyamulenge (ethnic Tutsi Congolese) refugees. In the immediate aftermath of the killings, the survivors had been housed in a local Burundian school while UNHCR negotiated their possible relocation to a Burundian site near the Tanzanian border. The refugees, however, resisted this proposal, as they did not want to be so far from their homes in South Kivu. Efforts by UNHCR and Monuc to negotiate the refugees' return to the DRC, however, met a cold welcome from local authorities, who pointed to a series of difficult questions involving ownership of homes and land, jobs, and general security as reasons to delay the Banyamulenge return. A September 22 decision by local Burundian authorities to evict the refugees from the school (so that students could resume classes) provoked a mini-crisis, however, as the refugees took matters into their own hands. Moderate Banyamulenge leader Enock Ruberangabo told PolCouns September 23 that about 200 refugees decided to go to Rwanda (and were moving that way on foot), another approximately 150 moved spontaneously deeper into Burundi (destination unknown), while the majority (about 700) determined to return to the DRC. The first 350 arrived at the border crossing at Uvira the evening of September 23 and were refused entry by local Congolese military (Mai Mai). According to both Enock and Monuc, the group then moved to the border crossing at Kaminyola, where they successfully crossed (with Monuc assistance), and Monuc facilitated their return by vehicles to Uvira.

Violent -- and Possibly Organized -- Reaction

¶3. (C) As word of the refugees' return began to circulate in Uvira, two separate groups of demonstrators converged on Monuc's offices, throwing stones and besieging the personnel. The vehicles carrying the refugees were diverted to a site near the border crossing, where the refugees were deposited. The demonstrators, shouting anti-Banyamulenge and anti-Monuc slogans, tried to move toward the area where the refugees had been left, but Monuc troops deterred them. The two sites which UNHCR had prepared for the eventual return of the refugees were burned by the demonstrators. Unrest continued, albeit at a lower level, September 25, but the city returned to calm September 26. Regional military commander Budja Mabe addressed the citizens in Uvira September 26, urging calm, although Monuc observers noted that he pointedly did not say anything which could be construed as welcoming the return of these Congolese citizens. Although UNHCR Kinshasa chief told poloff and polcouns that Ministry of Interior officials were being unhelpful in the crisis, the vice-Minister of Interior was dispatched to Uvira September 25 and remains there now, working on local reconciliation and logistics for the return of the remaining 300-plus refugees. A clearly frustrated and angry Enock (whose wife is among the returning refugees) cautioned polcouns that efforts by some extremists to incite violence against the refugees and prohibit the return of the Banyamulenge is fueling anger and resentment among the Banyamulenge community, particularly the youth, and driving many of them into the hands of Colonel Eric, who both Enock and Muller (a Banyamulenge activist and founder of the Parti Force Republican, recently returned to the DRC after a

voluntary exile in France) said is actively arming and organizing a "Banyamulenge self-defense force." (Bio note: The reference is to the infamous Colonel Eric, supposedly of Rwandan extraction, who has been involved for some time in various forms of unrest in eastern Congo, particularly in South Kivu. He was a member of former governor Chiribanya's militia, played a role in Nkunda's attack on Bukavu, and most recently has reportedly been recruiting -- both with cash and force -- Banyamulenge to form a military element. End Note.)

14. (C) SRSB Swing told Ambassador September 26 that President Kabila and (Banyamulenge) VP Ruberwa had been working together to find a solution to the refugee situation.

Both reportedly agreed that the situation had been mishandled, but (most importantly) that there could be no question of the right of these Congolese citizens to return to their own country. Therefore the Congolese military had been ordered to break up new protests by firing into the air, and to protect the refugees, who have been moved to two locations in Uvira. Both sites are being protected by an outer perimeter of Congolese military, with an inner perimeter of Monuc security forces. UNHCR, Monuc and Congolese authorities continue to discuss how to handle the group, including the provision of food, safe locations and other necessary support.

Comment

15. (C) It seems clear that the refugees -- and their situation -- are being manipulated by various elements. We doubt that their return is quite as spontaneous as Enock and others would like it to appear, particularly given Enock's comments that "4,000 non-Banyamulenge refugees had no trouble coming back, why should we be any different?" The RCD vice-Governor of South Kivu had, in fact, accompanied the refugees as far as the border while at the same time, the province's second (PPRD) vice-Governor had been urging a cautious, go-slow policy on refugee return. It probably is fair to say that most Congolese authorities have been almost over-emphasizing the potential difficulties involved in the refugees' return, and generally dragging their feet. Our experience has been that demonstrations such as those in Uvira normally are staged by some political element, in this case most likely anti-Banyamulenge extremists. Now that the refugees are here, however, we believe it is important that the international community -- and the transition government -- be seen to be supporting the right of Congolese citizens to return to their own country.

MEECE